

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:12-cr-00056-MR-DLH-1**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**CHRISTOPHER O'NEAL TATE,**

**Defendant.**

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**ORDER**

**THIS MATTER** is before the Court on the Defendant's *pro se* letter, which the Court construes as a motion for the appointment of counsel to assist him with seeking relief based on the Supreme Court's recent decision in Johnson v. United States, 135 S.Ct. 2551 (2015) [Doc. 22].

On November 17, 2015, the judges of this Court issued a Standing Order appointing the Federal Defender to represent any defendant who was previously determined to have been entitled to appointment of counsel, or who is now indigent, to determine whether that defendant is eligible for relief under Johnson. Standing Order in re: Johnson v. United States, No. 3:13-mc-00196-FDW (W.D.N.C. Nov. 17, 2015). The Defendant was previously determined to be indigent. As the Defendant appears to fall within the

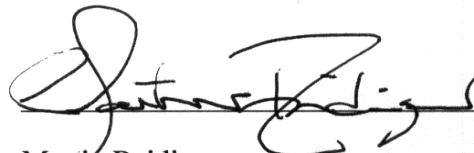
purview of this Court's Standing Order, his request for the appointment of counsel is moot.

**IT IS, THEREFORE, ORDERED** that the Defendant's *pro se* motion for the appointment of counsel [Doc. 22] is **DENIED AS MOOT**.

The Clerk of Court is respectfully directed to provide a copy of the Defendant's motion and this Order to the Federal Defenders of Western North Carolina.

**IT IS SO ORDERED.**

Signed: May 31, 2016

  
Martin Reidinger  
United States District Judge

